



Arizona Substance Abuse Partnership

Meeting Minutes

October 17, 2007

Summary

Arizona Substance Abuse Partnership (ASAP) Members in Attendance (14):

Irene Jacobs, Acting Chair in Dennis Burke's absence
(Governor's Office for Children, Youth and Families)
Jean Ajamie (Department of Education)
Tom Betlich (AHCCCS)
Eddy Broadway (Department of Health Services)
Dave Byers (Administrative Office of the Courts)
Anthony Coulson (Drug Enforcement Administration)
Ken Deibert (Department of Economic Security-Division of Children, Youth and Families)
David Felix (Department of Public Safety)
Dr. Kellie Warren (In place of Dianne Gadow-Department of Juvenile Corrections)
Richard Fimbres (Governor's Office of Highway Safety)
Duce Minor (Parker Area Alliance for Community Empowerment, Inc. -PAACE)
Jerry Oliver (Department of Liquor License and Control)
Dora Schriro (Department of Corrections)
Jeff Sanders (Community Member)
Mary Specio-Boyer (COPE Behavioral Health Services/Meth Free Alliance)
Christopher Vasquez (Pinal County Sheriff)
Kim O'Connor (Governor's Office/Division for Substance Abuse Policy)
Karen Ziegler (Arizona Criminal Justice Commission)

Ex-Officio Members:

Marnie Hodahkwen (Governor's Office)
Suzie Barr (Governor's Office)

Committee Chairs:

Richard Porter (Substance Abuse Epidemiology Work Group)
Lisa Shumaker (Underage Drinking Committee)
Linda Weinberg (Workforce Development Committee)
Dr. Kellie Warren (Co-occurring Policy Advisory Team)

Governor's Office Staff:

Carisa Dwyer (ASAP Staff)
Jeanne Blackburn (Substance Abuse Epidemiology Work Group Staff)
Holly Orozco (Underage Drinking Committee Staff)
Enid Osborne (Co-Occurring Policy Team Staff)
Keri Raichert (Parent's Commission Staff)
George Cunningham (Governor's Office)
Mike Haener (Governor's Office)



Public:

Vicki Staples (ASU-CABHP)
Duane Huffman (OSPB)
Lisa Teyechea (Pima Prevention Partnership)
Jim Copple (Strategic Applications International)

Call to Order

Irene Jacobs, Acting Chair in Dennis Burke's absence, called the meeting to order.

Welcome and Introductions

Ms. Jacobs welcomed members and asked that each agency representative describe their role regarding substance abuse. She also described the purpose of ASAP, indicating that the role of the partnership is to provide oversight to federal grants/funding sources and meet the needs of constituents regarding substance abuse. She also reminded attendees that the ASAP was formed in June as a result of a recommendation from the Methamphetamine Task Force report.

Approval of the Minutes

Richard Fimbres motioned for the minutes from the previous meeting to be accepted as they were written. The motion was seconded by Duce Minor.

Review of the Agenda

Ms. Jacobs reviewed the meeting agenda, including Dennis Burke's request that each member agency present budget/policy proposals for review by the partnership. Due to Mike Haener and George Cunningham's time restraints, all members presented before Mike Haener and George Cunningham discussed a summary of the 2008 Budget/Policy Recommendations.

The intent of having agencies provide budgetary recommendations was to use the proposals to make members familiar with the process so that they can share information in the future. The goal is only to establish the process as the deadline has already passed for the 2008 budget recommendations. However, this process can be honed for submission of proposals for the 2009 budget.

This process will allow the group to coordinate legislative proposals and avoid duplication of effort; identify gaps; and work collectively to avoid duplication and to better coordinate services; specifically, treatment, prevention and enforcement efforts addressing substance abuse in Arizona.

Agency Presentations/Discussion of Recommendations

Jim Copple explained the Arizona Substance Abuse Partnership Budget Request form used by the various members of the group and discussed that the form would be tweaked to maximize its benefit and usefulness to the group.

The first agency to present their budgetary proposal was the **Arizona Department of Education (ADE)**. Jean Ajamie noted that the proposal submitted was not from the



Department of Education, but from the School Safety and Prevention unit of ADE. She indicated that their proposal was for \$12 million as the current budget of \$800,000 does not provide enough funding for prevention specialists who would serve as point people for prevention efforts in Arizona's school districts. Currently, approximately 40% of school districts receive less than \$2,000 for prevention efforts. This funding would serve approximately 300 districts/charters with approximately \$40,000 for each district/charter. Children identified as needing substance abuse treatment services as a result of this increased effort would be referred to DBHS and juvenile courts. Potential conflicts with other state agencies were identified, including the indication by Kellie Warren that ADJC would need the assessment information in the event that a youth required their services. In addition, Eddy Broadway noted that referrals vary by district.

The next agency to present was the **Arizona Department of Economic Security (DES)**. DES's Division for Children, Youth and Families – AZ Families First Program has been evaluated as a model program for its rate of returning children to their biological parents. Their budget request of \$2.5 million would serve an additional 2200 clients (at approximately \$1,100 each) by expanding their program to allow for more treatment beds and increased outpatient services. The failure to secure these funds would result in increased costs in other areas, such as higher costs to the state for foster care and law enforcement. ADJC noted that their program would be inadvertently affected in a positive way as children in their care may be returning to healthier parents and homes as a result of increased treatment.

The **Administrative Office of the Courts (AOC)** was the next to present their budgetary proposal. They noted that there is a need to build capacity and access to care and an infrastructure that will support methamphetamine treatment. They requested an increase in funding for substance abuse treatment services, delinquent behaviors and sexual offenses but also noted that an increase will be needed just to maintain the current level of services due to rate increases. The AOC noted that drug courts are needed in two additional counties. The proposed budgetary increase was not seen to duplicate the efforts of other agencies but not receiving the increased budget could potentially increase the costs to the Arizona Department of Corrections as failure to provide treatment services puts more impact on other agencies (such as the correctional system).

The **Governor's Office of Highway Safety (GOHS)** discussed four proposals:

- A law allowing police officers to stop motorists for not wearing a seatbelt (which might lead to more arrests for the possession/use of drugs and/or alcohol). This policy change may bring increased federal dollars to the state in the form of grant monies.
- A law requiring the use of booster seats or other appropriate child restraint system between the ages of five and nine, with an established fine to accompany an infraction. Asked how this law was related to substance abuse, the GOHS indicated that seat belt use by children is often related to substance abuse because those individuals who may be driving under the influence may be less likely to use proper safety restraints on their children, which would allow these individuals to be stopped because of their failure to use the proper safety restraints.



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- Keg registration at the time of purchase was discussed with acknowledgements that this policy change would likely impact the Division for Liquor Licensing and Control and would conflict with the liquor industry.
 - Proposal to change the sunset clause which would set the Motorcycle Safety Council on June 30, 2010.

The **Arizona Department of Liquor License and Control (DLLC)** proposed an increase in the fee for special event licenses that was established over 10 years ago. It was noted that this would enhance the efforts of the Department of Health Services as these fees would be directed to that state agency. However, as a fee increase is a policy item, it is subject to a vote, requiring a 2/3 favor in order to pass. Also brought to the table was a proposal by DLLC to amend the language featured in A.R.S. 4-209 to reflect the true intent of establishing different series of liquor licenses to be used for different liquor purposes. DLLC indicated that the placement of high-energy drinks in establishments needs to be examined and they necessitate increased education. Another member noted that this was an issue that needed to be brought before the UAD committee for further discussion and deliberation and recommendations resulting from this conversation should be made to ASAP.

The **Drug Enforcement Administration (DEA)** brought two proposals to the table. The first was a suggested law change, which would make it a criminal act for parents or other adults to use drugs in the presence of children. Current Drug Endangered Children Protocols do not cover children who are in the presence of parents who use drugs. This new law would in essence be a second-tier Drug Endangered Children protocol and would make such use an act of child neglect/abuse. The second proposal discussed by the DEA was a legislative amendment that would require hospitals to ask patients who present for drug and/or alcohol-related diagnoses (e.g., methamphetamine in their system) whether there are any children in the home and if so, how many. These data would be reported to the Director for the Division for Substance Abuse Policy and hospital personnel asking such questions and reporting these data would not be considered to be in violation of HIPAA laws. However, group members noted that HIPAA is a federal law, which cannot be altered by individual states. Discussions centered on whether children's rights outweigh HIPAA regulations. Agencies that would be impacted by such legislation include CPS and law enforcement if mandatory reporting requirements become an issue. In addition, numerous other potential implications of this law (downstream issues) were discussed, such as the implications these data may have on the calculation of resource need, the potential for these data, and the necessary changes to the varied emergency room protocols currently practiced throughout the state.

Summary of 2008 Budget/Policy Priorities

Mike Haener and George Cunningham informed the group that budget/policy recommendations are made to the Governor's Office by mid-August for the following budget year. Mike Haener indicated that as one budget/legislative policy session ends, another begins.

They also informed the group that policy advisors speak to agencies about which of the suggested policies/budget issues are best to pursue after they have examined all of the



packets submitted by agencies and they have made their recommendations to the Governor, keeping in mind that among the governor's priority areas are: K-12 and university education; expansion of the downtown medical school; health care package; trust land reform (with a proposal currently under construction); time tax transportation (growth in the state); energy and climate change pursuits.

George Cunningham indicated that ASAP's executive order complies with the state's budgetary priorities/process. He also noted that while a tight budget constrains the number of things that the state can do, there is some room for initiatives as they relate to increased population demand:

- SPAR document from the Joint Legislative Budget Committee (JLBC) should be thoroughly examined by each agency and the ASAP for gaps.
- Any requests for funding should be based on results/performance and outcome-based programs that show that investment results in beneficial outcomes for Arizona and the individuals targeted by the programs.
- A "clearinghouse" style prioritization process should be used to review the recommendations made to the policy makers/budget analysts. The ASAP in effect would become that "clearinghouse" and could ultimately impact funding decisions and ensure maximum impact of programs receiving funding from all of the participating state agencies.

Duce Minor brought up a concern over a statute that went into effect last session. He asked the group whether the ASAP could or should respond to issues such as this during or after legislative sessions and specifically whether something can be done now. The statute is ARS 15-104 requiring "Active Consent" for all evaluations, surveys or assessments conducted in schools. Duce expressed concern that this statute has created an unintended consequence requiring active consent in order to survey youth in prevention programs. This creates a huge barrier for prevention providers trying to collect quality data.

Comments indicated that different Deputy Attorneys General (representing different State Agencies/Departments) have issued contradictory opinions. The Department of Education's position is that active consent is not required, while the Department of Health Services takes the position that it is required. Duce then requested that the Attorney General's Office could take another look at the statute and issue one position on the implications and requirements imposed by this legislation. No representative from the Attorney General's Office was present at the meeting to respond.

Future Meeting Schedule and Activities

The next meeting will be November 19, 2007 (which is a change from the originally-scheduled date of November 16), February 22, 2008 and May 16, 2008. All meetings will take place in the Second Floor Conference Room of the Executive Tower: 1700 W. Washington St. Phoenix, AZ 85007 from 1:00 – 3:00 p.m. The next meeting's agenda will include the development of a statewide substance abuse strategic plan and an examination of the Substance Abuse Epidemiology Profile.

Announcements



The 2007 Substance Abuse Epidemiology Profile has been released and is available online.

The UAD campaign kickoff is scheduled for Monday, October 29th at Wesley Bolin Plaza.

Call to the Public

Ms. Jacobs made a call to the public, no requests were made to speak.

Adjourn

Meeting adjourned at 3:10 p.m.